

City Council
Atlanta, Georgia

04- 0 -0467

AN ORDINANCE
BY: ZONING COMMITTEE

U-04-04
2-10-04

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. Under the provisions of Section 16-18K.004(7)(d)(1)(i) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Day Care Center** is hereby approved. Said use is granted to **Magnolia Park Pre-School Inc.** and is to be located at **60 Paschal Boulevard, N.W. (aka 840 Carter Street, N.W.)** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot **110** of the **14th** District of **Fulton** County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements," and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional side plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

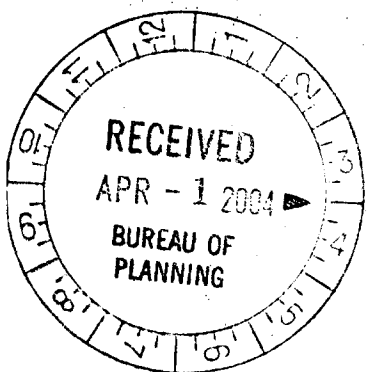
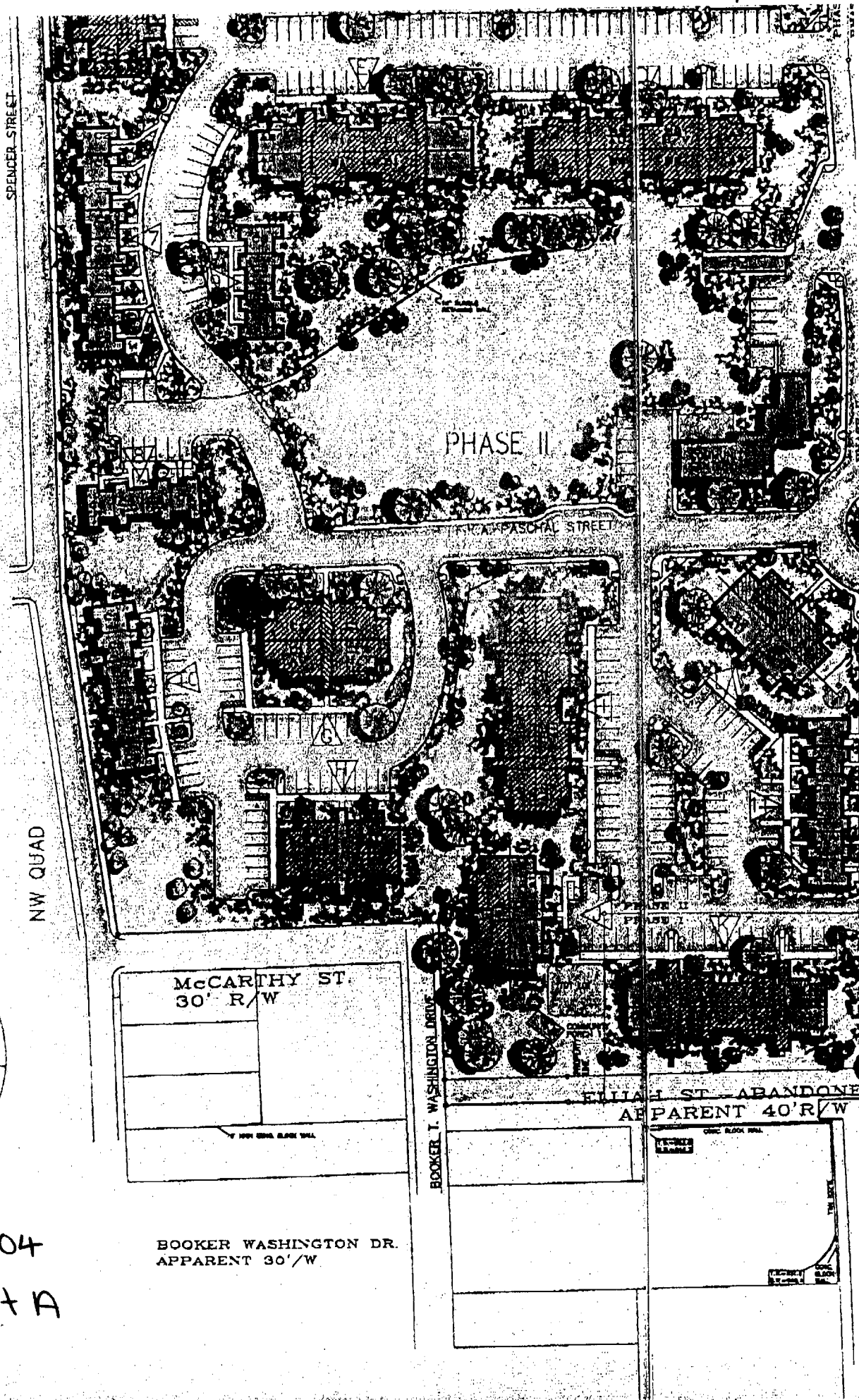
May 3, 2004
May 11, 2004



Conditions for U-04-04

Site plan, untitled and undated, marked Exhibit A and stamped received by the Bureau of Planning, April 1, 2004.

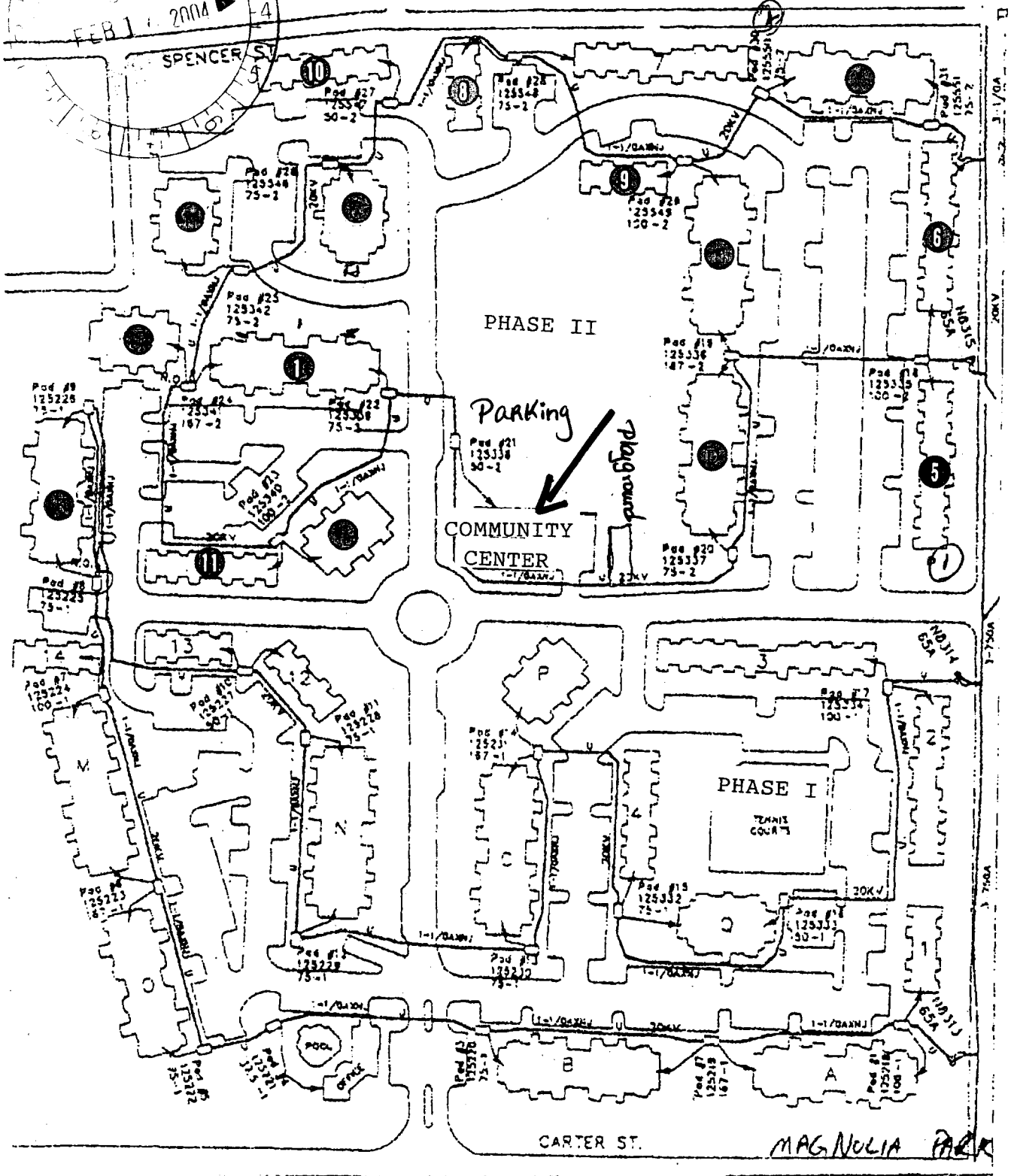
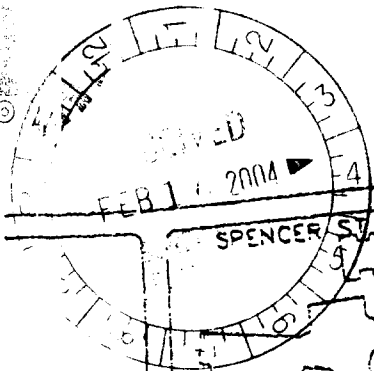
U-04-04



U-04-04
Exhibit A

MAGNOLIA PARK APARTMENTS

U-04-04



"EXHIBIT A"

Legal Description

U-04-01

Phase II

All that tract or parcel of land lying and being in Land Lot 110 of the 14th District of Fulton County, City of Atlanta, Georgia, and being more particularly described as follows:

Beginning at a 1/2" rebar found at the intersection of the easterly right of way line of McCarthy Street (30 foot total right of way width) and the southerly right of way line of Spencer Street (30 foot total right of way width). Thence continuing along the southerly right of way line of Spencer Street, North 82 degrees 00 minutes 56 seconds East, 278.08 feet to a nail set in concrete at the intersection of the southerly right of way line of Spencer Street and the former westerly right of way line of Taliaferro Street (apparent 40 foot total right of way width)(abandoned). Thence continuing along the southerly right of way line of Spencer Street, North 89 degrees 17 minutes 28 seconds East, 40.01 feet to a nail set in concrete at the intersection of the southerly right of way line of Spencer Street and the former easterly right of way line of Taliaferro Street. Thence still continuing along the southerly right of way line of Spencer Street, North 88 degrees 41 minutes 07 seconds East, 557.90 feet to a nail set at the intersection of the southerly right of way line of Spencer Street and the westerly right of way line of Brawley Street, f/k/a Chestnut Street (40 foot total right of way width). Thence along the westerly right of way line of Brawley Street, South 01 degrees 41 minutes 23 seconds East, .02.84 feet to a point. Thence continuing along the westerly right of way line of Brawley Street, South 00 degrees 53 minutes 25 seconds East, 382.06 feet to a point. Thence South 00 degrees 49 minutes 23 seconds East, 27.54 feet to a point. Thence leaving the westerly right of way line of Brawley Street, North 89 degrees 59 minutes 12 seconds West, 205.68 feet to a point. Thence South 85 degrees 55 minutes 22 seconds West, 176.74 feet to a point. Thence North 89 degrees 54 minutes 44 seconds West, 144.77 feet to a point. Thence along the arc of a curve to the right 99.91 feet (said curve having a radius of 42.00 feet and a chord of South 50 degrees 18 minutes 22 seconds West, 77.97 feet) to a point on the former westerly right of way line of Taliaferro Street. Thence leaving the former westerly right of way line of Taliaferro Street, along the arc of a curve to the right of 45.02 feet (said curve having a radius of 42.00 feet and a chord of North 30 degrees 50 minutes 16 seconds West, 42.89 feet) to a point. Thence South 90 degrees 00 minutes 00 seconds West, 262.57 feet to a point. Thence North 00 degrees 00 minutes 00 seconds East, 213.31 feet to a point. Thence South 90 degrees 00 minutes 00 seconds West, 147.88 feet to a point on the centerline of former Elijah Street. Thence along the centerline of former Elijah Street, North 01 degrees 36 minutes 35 seconds West, 121.28 feet to a 1/2" rebar and surveyor's cap set at the intersection of the centerline of former Elijah Street and the southerly right of way line of Booker Washington Drive (apparent 30 foot total right of way width). Thence continuing along the southerly right of way line of Booker Washington Drive, North 88 degrees 01 minutes 21 seconds East, 144.76 feet to a 1/2"

369 2

U. 7

BRAWLEY

U-70-2

57.

GRIFIN

GREENWAY

23.6 A

CIC Z 70.23

7.24 A

CARTER

MARTA TRACKS

516

TALIAFERRO

LEACH ST.

RAYMOND

JAMES

GRIFIN

RCS# 5688
5/03/04
5:40 PM

Atlanta City Council

Regular Session

04-O-0467

U-04-04 60 PASCHAL BOULEVARD
DAY CARE CENTER
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	NV Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

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04-0-0467

(Do Not Write Above This Line)

AN ORDINANCE U-04-04
BY: ZONING COMMITTEE

AN ORDINANCE GRANTING A SPECIAL
USE PERMIT FOR A DAY CARE
CENTER SECTION 16-18K.004
(7)(d)(1)(i), PROPERTY LOCATED AT
60 PASCHAL BOULEVARD, N.W.
(AKA 840 CARTER STREET, N.W.)
FRONTING APPROXIMATELY
900 FEET ON THE NORTH
SIDE OF CARTER STREET
BEGINNING AT THE
NORTHWEST CORNER OF
JAMES P. BRAWLEY DRIVE.
DEPTH: VARIES; AREA:
APPROXIMATELY 24.79 ACRES;
LAND LOT 110, 14TH DISTRICT,
FULTON COUNTY, GEORGIA.
OWNER: ATLANTA HOUSING
AUTHORITY ET AL
APPLICANT: MAGNOLIA PARK
PRE-SCHOOL, INC.
NPU-1 COUNCIL DISTRICT 3

ADOPTED BY

MAY 3 2004

COUNCIL.

- ☐ CONSENT REFER
☒ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER

Date Referred

3/15/2004

Referred To:

ZRB & Zoning

First Reading

Committee

Date

Chair

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Held (see rev. side)

Other:

Members

Refer To

COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

COUNCIL PRESIDENT PROTEM

MAY 03 2004
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 11 2004

MAYOR